

Appl. No. 10/712,952
Atty. Docket: 2003B115
Amendment dated December 5, 2005
Reply to Office Action mailed September 8, 2005

REMARKS/ARGUMENTS

Status of the Claims

Claims 1 - 50 are currently pending in the above-identified application. Claims 10-12 have been amended to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 10-12 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 10, 11, and 12 have been amended to recite "the oxygenate conversion zone" in place of "the oxygenate removal zone." As can be understood from the specification, the terms are interchangeable and Applicants have amended the claims to particularly point out and distinctly claim the subject matter which they regard as the invention. Applicants respectfully request withdrawal of this rejection and allowance of the claims.

Double Patenting

The Examiner has rejected claims 1, 20-21, 26-27, and 46 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, 7, and 17 of U.S. Patent No. 6,734,330.

Applicants have submitted a terminal disclaimer along with the current response. Therefore, the rejection is moot, and Applicants respectfully request withdrawal of this rejection and allowance of the claims.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-50 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,657,022, which is prior art only under 35 U.S.C. § 102(e). Under MPEP § 706.02(l)(2), Applicants state that Application 10/712,952 and U.S. Patent No. 6,657,022 were, at the time the invention of Application 10/712,952 was made, subject to an obligation of assignment to ExxonMobil Chemical Patents Inc. Therefore, U.S. Patent No. 6,657,022 is removed as a prior art reference under 35 U.S.C. § 103(a), and Applicants respectfully request withdrawal of this rejection and allowance of the claims.

Appl. No. 10/712,952
Atty. Docket: 2003B115
Amendment dated December 5, 2005
Reply to Office Action mailed September 8, 2005

CONCLUSION

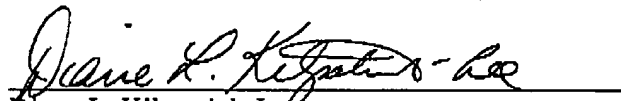
Applicants respectfully request allowance of the pending claims in light of the above amendments and remarks. Applicants invite the Examiner to telephone the undersigned attorney if there are any issues outstanding which have not been presented to the Examiner's satisfaction.

The Commissioner is hereby authorized to charge any additional fees that are required or credit any overpayment to Deposit Account No. 05-1712 referencing 2003B115US.

Respectfully submitted,

Date:

December 6, 2005



Diane L. Kilpatrick-Lee
Attorney for Applicants
Registration No. 56,211

Post Office Address (to which correspondence is to be sent):
ExxonMobil Chemical Company
Law Technology
P.O. Box 2149
Baytown, Texas 77522-2149
Telephone No. (281) 834-0304
Facsimile No. (281) 834-2495